

gested, through Mr. Fleming's kind intervention, that a board of arbitration should be formed; Major Farnum to select one member of the Savannah bar and I to select another; the two, in the event of a disagreement between themselves, to call in an umpire. This board to examine the newcomer in such manner and to such extent as they might think proper. Should they determine, after such examination, that the ethics of the profession required me to retract the statement which I had made against Major Farnum, I would do so. Should they remain silent, so would I. Everything which should transpire before the board was to be kept profoundly secret.

Major Farnum selected Mr. John W. Owen, who was not his lawyer. I selected General Lawton, who was not at that time my partner. The arbitrators remained silent. I did hear that no umpire was called in. But I have never exchanged one word with either of the arbitrators as to what passed before them.

And so J. Egbert Farnum was put upon his trial. The witness, who had been traced by his nose, was placed upon the stand against him, and swore to the truth of the report I had circulated in every particular, except the most vital one. He swore that "Judge Black"—this was literally the first time the attorney-general's name had been "mixed up" with the affair—was mistaken in the name of the man who had sent him. "It was not Major Farnum" All of the white men except Farnum, who were on the *Wanderer* during the voyage, being in jail at the time of this interview with the attorney-general, any one was at liberty to determine for himself whether there could have been a mistake as to the name.

It is to be remembered that the man who thus swore was examined as a witness for the prosecution. As in the other